

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	
)	No. 3:23-CR-119-KAC-JEM
BRANDON RAY REECE,)	
VITINA NICOLE JARVIS, and)	
COURTNEY LEIGH REECE,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or recommendation as appropriate. This case is before the Court on Defendants' Unopposed Joint Defense Motion to Continue Trial and Associated Deadlines [Doc. 47], filed on June 26, 2024.

Defendants Brandon Reece, Courtney Reece, and Vitina Nicole Jarvis ask the Court to continue trial until mid-October 2024 and to extend associated deadlines. In support of their motion, Defendants assert that their counsel are continuing to work through original and supplemental discovery that was received in April and May 2024. Defendants represent that discovery includes thousands of jailhouse calls, text messages, and video sessions made during Defendant Brandon Reece's detention at various facilities and is not organized such that it is easy for counsel to locate particular calls on specific dates. Therefore, Defendants contend that the time that it is taking to review all of the discovery is impeding the ability of defense counsel to formulate necessary pretrial motions and to engage in meaningful discussions with prosecution counsel about this case. Defendants' motion reflect that Brandon Reece, Courtney Reece, and Vitina Nicole

Jarvis agree and consent to the requested continuance of the trial and associated deadlines and that counsel for the Government does not object to the motion.

Defense counsel for Brandon Reece, Courtney Reece, and Vitina Nicole Jarvis confirmed with Chambers via email that Defendants understands their right to a speedy trial and agree to the requested continuance.

Based upon the information provided by Defendants and the lack of opposition by the Government, the Court finds the ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). In making this determination, the Court has considered the factors set forth in 18 U.S.C. § 3161(h)(7)(B). Specifically, considering the information presented in Defendants' motion, the Court concludes that not granting a continuance would both result in a miscarriage of justice and deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See id.* § 3161(h)(7)(B)(i)–(iv). Defense counsel needs more time to review and discuss discovery with Defendants and determine whether any pretrial motions are appropriate. The Court finds that all of this cannot occur before the August 13, 2024 trial date.

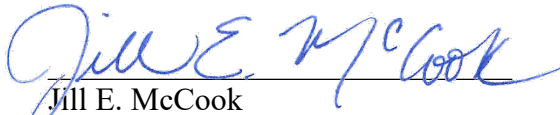
The Court therefore **GRANTS** Defendants' Unopposed Joint Defense Motion to Continue Trial and Associated Deadlines [**Doc. 47**]. The trial of this case is reset to **October 29, 2024**. A new, comprehensive, trial schedule is included below. Because the Court has found that the ends of justice served by granting a continuance outweigh the interests of the Defendants and the public in a speedy trial, all of the time between the filing of the motions on June 26, 2024, and the new trial date is fully excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161(h)(1)(D), (h)(7)(A)–(B).

Accordingly, it is **ORDERED** as follows:

- (1) Defendants' Unopposed Joint Defense Motion to Continue Trial and Associated Deadlines [**Doc. 47**] is **GRANTED**;
- (2) the trial of this matter is reset to commence on **October 29, 2024, at 9:00 a.m.**, before the Honorable Katherine A. Crytzer, United States District Judge;
- (3) all time between the filing of the motion on **June 26, 2024**, and the new trial date of **October 29, 2024**, is fully excludable time under the Speedy Trial Act for the reasons set forth herein;
- (4) the deadline for filing pretrial motions is extended to **August 1, 2024**, and responses to motions are due on or before **August 15, 2024**;
- (5) the deadline for filing a plea agreement in the record and providing reciprocal discovery is **September 30, 2024**;
- (6) the deadline for filing motions *in limine* is **October 11, 2024**;
- (7) the parties are to appear before the undersigned for a final pretrial conference on **October 15, 2024 at 10:00 a.m.**; and
- (8) requests for special jury instructions with appropriate citations to authority pursuant to Local Rule 7.4 shall be filed on or before **October 18, 2024**.

IT IS SO ORDERED.

ENTER:


Jill E. McCook
United States Magistrate Judge